

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
and
FIRST SPECIAL SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
1983

held on or before the regular March, 1983, plantation meeting. This election shall be called, advertised and conducted according to the Revised Statutes, Title 30, sections 2061 and 2065. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question:

"Shall Elliottsville Plantation be deorganized?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same. The Act shall be approved by a majority of the legal voters voting at the plantation meeting, provided that the total number of votes cast for and against the acceptance of this Act at the election equaled or exceeded 50% of the total number of votes cast in the plantation for Governor at the last gubernatorial election.

The result of the vote shall be declared by the board of assessors of Elliottsville and due certificate shall be filed by the plantation clerk with the Secretary of State within 10 days from the date of that vote.

Emergency clause. In view of the emergency cited in the preamble, section 3 of this Act shall take effect when approved. Sections 1 and 2 of this Act shall take effect on March 31, 1983, if approved by a majority of the legal voters at the special election.

Effective February 1, 1983, unless otherwise indicated.

CHAPTER 6

S.P. 102 - L.D. 234

AN ACT Relating to the Charter of the Van Buren Water District.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this Act makes changes in the charter of the Van Buren Water District which must be made before the next election for the water district; and

Whereas, the election for the water district is to be held on the same date as the town election, March, 1983; and

Whereas, unless this Act is enacted as an emergency it will not take effect prior to the time of the elections; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 1905, c. 316, §1 is repealed and the following enacted in its place:

Sec. 1. Territorial limits of district. The following described territory, and the people within the territory, namely the Town of Van Buren and so much of the Town of Hamlin as is contained by original lots 306 through 308 inclusive, shall constitute a body politic and corporate under the name of the Van Buren Water District for the purpose of supplying the inhabitants of the district with pure water for domestic and municipal purposes.

Sec. 2. P&SL 1905, c. 316, §5, as amended by PL 1969, c. 60, §1, is repealed and the following enacted in its place:

Sec. 5. Board of trustees. All the affairs of the district shall be managed by an elected board of 3 trustees, residents of the district. They shall hold office as provided in this section and until their respective successors are elected and qualified.

1. Residency; conflict of interest. When any trustee ceases to be a resident of the district, his office as trustee shall be declared vacant. None of the councilors of the Town of Van Buren may serve as a trustee of the district. Trustees shall be subject to the provisions of the Revised Statutes, Title 30, section 2251.

2. Trustees; how elected; term; vacancies filled for the unexpired term; officers, meetings. The present trustees shall hold office until the expiration of the term for which they have been elected. Each year, as the term of a trustee expires, the legal voters of the district shall elect a successor to serve for a full term of 3 years, and if any vacancy occurs it may be filled in like manner for the unexpired term.

The elections shall be conducted with the annual municipal elections of the Town of Van Buren and, for the purpose of nomination, the trustees shall be considered municipal officials and shall be nominated in accordance with the Revised Statutes, Title 30, chapter 207. Upon the election of a trustee or trustees, the clerk of the Town of Van Buren shall forward the name of the trustee or trustees elected to the board of trustees of the district, with the other data with regard to their election as the board of trustees may require.

3. Election of officers; corporate seal. As soon as convenient after each annual election, the trustees shall hold a meeting at the office of the district in the Town of Van Buren, and organize by the election of a chairman and clerk, adopt a corporate seal and, when necessary, may choose a treasurer and all other officers and agents for the proper management of the affairs of the district.

4. Trustees sworn; annual report. The trustees shall be sworn to the faithful performance of their duties. They shall make and publish an annual report which shall also contain a report of the treasurer.

5. Trustees' compensation. The trustees shall receive compensation as recommended by them and approved by a majority of the municipal officers of the municipality, including compensation for any duties they perform as officers, as well as for their duties as trustees. Certification thereof shall be recorded with the Secretary of State and recorded in the bylaws. Their compensation for duties as trustees shall be on the basis of such specified amount as may be specified in the bylaws, not less than \$5 and not more than \$10 for each board meeting actually attended and reimbursement for travel and expenses, with the total not to exceed such specific amount as may be specified in the bylaws.

6. Bylaws. The district, at any legal meeting of the district, may adopt the bylaws and provisions, not inconsistent with the laws and Constitution of Maine and the United States, as it may deem expedient and necessary for the better government and regulation of its affairs within the district. The bylaws and provisions so adopted shall extend to the Van Buren Water District as fully, to all intents and purposes, as the other provisions of this Act, subject only to alterations or additions by a 2/3 vote, at a legal meeting of the district called for the purpose.

7. Meetings; quorum. Meetings of the trustees

may be called by the chairman of the board of trustees or by any 2 of the trustees. Notice of the meeting shall be mailed to, served upon or left at the usual dwelling place of each trustee at least 24 hours before the meeting. The presence of 2 trustees shall constitute a quorum for the transaction of business.

8. Annual meeting of the district. The annual meeting of the district shall be held within the district in the month of March after the municipal elections at the date, hour and place as may be designated by the trustees. Notice of the annual meeting, signed by the trustees, shall be conspicuously posted in 2 public places within the district, not less than 7 days before the meeting.

9. Trustees granted certain powers of selectmen. The trustees shall have the same powers and perform the same duties as otherwise are exercised and performed by the selectmen of towns in correcting and preparing lists of the persons qualified to vote in the district, and for that purpose they shall be in session at a place and date designated by them before the opening of the meeting and notice thereof shall be given in the call of the meeting. All meetings of the district shall be presided over by a moderator chosen in the same manner and with the same authority as moderators of town meetings.

10. Authorized to enter into contracts. The district, through its trustees, is authorized to contract with persons and corporations. All the incidental powers, rights and privileges necessary to the accomplishment of the main object as set forth in this section are granted to the district.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 11, 1983.

CHAPTER 7

H.P. 588 - L.D. 669

AN ACT to Amend the Charter of the Eagle
Lake Water District to Provide for the
Election of Trustees.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after